

REMARKS

This Response is submitted in reply to the Office Action dated July 25, 2008. Claims 28 to 32 have been added. Claims 11, 19, 25 and 28 are in independent form. Claims 11, 13, 15 to 17, 19, 23 to 25 and 27 are hereby amended. Claims 18, 20 to 22 and 26 are hereby canceled without prejudice. No new matter has been added by such amendments. Please charge Deposit Account No. 02-1818 for all payments due in connection with this Response.

Claim Objections

The Office Action objected to Claims 15, 19 and 22 to 24 because of informalities. Applicants submit that the amendments made to these claims overcome these objections.

Claim Rejections – 35 U.S.C. 112

The Office Action rejected Claims 13 to 18 and 25 to 27 under 35 U.S.C. § 112 as being indefinite. Applicant has amended dependent Claim 13 and Independent Claim 25 and submits that these amendments overcome these rejections.

Claim Rejections – 35 U.S.C. 103

The Office Action rejected independent Claims 11 and 25 under 35 U.S.C. 103(a) as being unpatentable over ITU-T Q.734 (Stage 3 Description for Multiparty Supplementary Services Using SS7, 03/93) (“Q.734”) in view of Sinnreich et al, (“Internet Communications Using SIP”, October 2001, John Wiley & Sons) (“Sinnreich”). In light of the amendments made herein, Applicant respectfully disagrees with, and traverses, such rejections.

Amended independent Claim 11 recites, among other elements, “interworking the notification into the second protocol depending on the “held” status of the second subscriber.” Q.734 and/or Sinnreich fail to teach the foregoing claimed elements. Sinnreich relates to the feature “Call hold” which needs no action depending on “held”.

On the other hand, the method of amended independent Claim 11 recites, among other elements, “interworking the notification into the second protocol depending on the “held” status of the second subscriber.” Moreover, it would not have been obvious to one of ordinary skill in the art to modify Q.734 with Sinnreich to result in such a method without reasonably being

construed as improper hindsight reconstruction. Support for the claim amendments can be found in the Specification, for example, in at least paragraph [0053].

For at least these reasons it is respectfully submitted that amended independent Claim 11 is patentably distinguished over Q.734 in view of Sinnreich and in condition for allowance. Dependent Claims 12 to 14 depend either directly or indirectly from amended independent Claim 11 and are also allowable for the reasons given with respect to Claim 11 and because of the additional features recited in these claims.

The Office Action rejected independent Claim 19 under 35 U.S.C. 103(a) as being unpatentable over Sinnreich in view of Q.734 and further in view of 3GPP TS 29.163 v.1.8.0 (2003-08) (Interworking between the IM CN subsystem and CS networks (Release 6)) ("3GPP"). As discussed below, Applicant has amended independent Claim 19 to include all of the limitations of Prior Claim 22. Applicant submits that these amendments overcome the rejection.

Allowable Subject Matter

The Office Action stated Claims 15 to 18, 22 to 24 and 26 to 27 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Amended independent Claim 19 is rewritten to include all of the limitations of Prior Claim 22. For at least this reason, it is respectfully submitted that amended independent Claim 19 is in condition for allowance. Dependent Claims 23, 24, 31 and 32 depend either directly or indirectly from amended independent Claim 19 and are also allowable for the reasons given with respect to Claim 19 and because of the additional features recited in these claims.

Amended independent Claim 25 is rewritten to include all of the limitations of Prior Claim 26. For at least this reason, it is respectfully submitted that amended Claim 25 is in condition for allowance. Dependent Claim 27 depends directly from amended independent Claim 25 and is also allowable for the reasons given with respect to Claim 25 and because of the additional features recited in this claim.

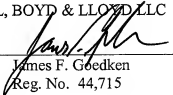
New independent Claim 28 is essentially rewritten to include all of the limitations of Prior Claim 15. For at least this reason, it is respectfully submitted that new independent Claim 28 is in condition for allowance. Dependent Claims 15 to 17 and 29 to 30 depend either directly or indirectly from new independent Claim 28 and are also allowable for the reasons given with respect to Claim 28 and because of the additional features recited in these claims.

An earnest endeavor has been made to place this application in condition for formal allowance and is courteously solicited. If the Examiner has any questions regarding this Response, Applicant respectfully requests that the Examiner contact the undersigned.

Respectfully submitted,

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